

Filed for intro on 02/01/95  
Senate Bill \_\_\_\_\_  
By \_\_\_\_\_

House Bill No.HB0259  
By Odom

AN ACT to amend Tennessee Code Annotated, Title 39, relative to noise pollution.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. As used in this act, unless the context otherwise requires:

(a) "Local unit of government" means a county, municipality, metropolitan government, or other entity of local government.

(b) "Person" means an individual, proprietorship, partnership, corporation, club, or other legal entity.

(c) "Sport shooting range" or "range" means an area designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar sport shooting.

SECTION 2.

(a) Notwithstanding any other provision of law to the contrary, a person who operates or uses a sport shooting range in this state shall not be subject to civil liability or criminal prosecution in any matter relating to noise or noise pollution resulting from the operation or use of the range if the range is in compliance with any noise control

laws, resolutions, ordinances or regulations, issued by a local unit of government, that applied to the range and its operation at the time the range was constructed and began operation.

(b) A person who operates or uses a sport shooting range is not subject to an action for nuisance, and a court of the state shall not enjoin the use or operation of a range on the basis of noise or noise pollution, if the range is in compliance with any noise control laws, resolutions, ordinances or regulations, issued by a unit of local government, that applied to the range and its operation at the time the range was constructed and began operation.

(c) A person who acquires title to or who owns real property adversely affected by the use of property with a permanently located and improved range shall not maintain a nuisance action against the person who owns the range to restrain, enjoin or impede the use of the range where there has not been a substantial change in the nature of the use of the range or by a person using the range.

(d) Rules or regulations adopted by any state department or agency for limiting levels of noise in terms of described level which may occur in the outdoor atmosphere shall not apply to a sport shooting range exempted from liability under this act.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring

it.